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APPLICATION FOR A REVIEW
Section 61, The Environmental Bill of Rights,
Chapter 28, Statutes of Ontario, 1993

GENERAL INSTRUCTIONS

1. Please type or print clearly in ink.
2. The application and any supporting documentation should be submitted to:

The Environmental Commissioner Phone: (416) 325-3377
1075 Bay Street, Suite 605 Fax: 325-3370
6th Floor
Toronto, Ontario
M5S 2W5

3. It is suggested that the Applicants retain a copy of the application.

Personal Information

This form provides the information which is necessary to request a review to determine whether an existing policy, Act, regulation or instrument of Ontario should be amended, repealed or revoked in order to protect the environment, or to request a review of the need for a new policy, Act or regulation. The Minister will use the information contained on this form to determine whether to conduct a review. The Environmental Bill of Rights (EBR) requires two applicants, who are residents of Ontario, to request a review. The Freedom of Information and Protection of Privacy Act protects the personal information provided by the applicants however applicants' personal information may be disclosed if the review results in: an administrative action; a court action; or other legal action. In such a case, one or both of the applicants' may be required to provide evidence and their names may be released.

Other Information

It is important to include as much supporting information and documentation as possible with your application. Please refer to Sections 67 and 68 of the EBR, set out at the end of this form, in completing this application. All the information requested on this form is required by the EBR for the Minister to decide if a review is to be initiated.

APPLICANT'S INFORMATION

1. Applicant Number 1

Surname

Given Name(s)

Date of Birth

Address

City _____

Province

Postal code

Residence Telephone

Business Telephone

-OR-

Other Proof of Ontario Residency

NOTE: Where an application is being made on behalf of a corporation, you must provide the proper legal name of the corporation plus a Statutory Declaration by a duly constituted officer stating that the corporation is incorporated under the laws of the Province of Ontario and has its principal place of business in Ontario.

SIGNATURE

DATE

APPLICANT'S INFORMATION**1(a) Applicant Number 2**

Surname

Given Name(s)

Date of Birth

Address

Apt. No.

City

Province

Postal code

Residence Telephone

Business Telephone

Driver's License No.

-OR-

Other Proof of Ontario Residency

SIGNATURE

DATE



2. (a) Clearly identify the existing policy, Act, regulation or instrument for which a review is sought.

2. (b) Clearly identify the new Act, policy or regulation which you believe should be made or passed and why there is a need for the new Act, policy or regulation.

3. Explain why you believe that a review should be undertaken in order to protect the environment.

4. Summarize the evidence supporting your belief that the review applied for should be undertaken in order to protect the environment.

5. If possible attach any information or documentation referred to in #3 and #4.

FOR ENVIRONMENTAL COMMISSIONER'S OFFICE USE ONLY

Date Received: _____

Ministry Submitted to: _____

Date Submitted to the Ministry: _____

Reference Number: _____

MINISTRY OFFICE USE ONLY

Date Received: _____

Date Acknowledgement letter sent to Applicant: _____

Reference Number: _____

Section 67. (1) The minister shall consider each application for review in a preliminary way to determine whether the public interest warrants a review in his or her ministry of matters raised in the application.

(2) In determining whether the public interest warrants a review, the minister may consider,

- (a) the ministry statement of environmental values;
- (b) the potential for harm to the environment if the review applied for is not undertaken;
- (c) the fact that matters sought to be reviewed are otherwise subject to periodic review;
- (d) any social, economic, scientific or other evidence that the minister considers relevant;
- (e) any submission from a person who received a notice under section 66;
- (f) the resources required to conduct the review, and
- (g) any other matter that the minister considers relevant.

(3) In addition, in determining whether the public interest warrants a review of an existing policy, Act, regulation or instrument applied for under subsection 61 (1), the minister may consider,

- (a) the extent to which members of the public had an opportunity to participate in the development of the policy, Act, regulation or instrument in respect of which a review is sought; and
- (b) how recently the policy, Act, regulation or instrument was made, passed or issued.

Section 68. (1) For purposes of subsection 67 (1), a minister shall not determine that the public interest warrants a review of a decision made during the five years preceding the date of the application for review if the decision was made in a manner that the minister considers consistent with the intent and purpose of Part II.

(2) Subsection (1) does not apply where it appears to the minister that,

- (a) there is social, economic, scientific or other evidence that failure to review the decision could result in significant harm to the environment; and
- (b) the evidence was not taken into account when the decision sought to be reviewed was made.



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